

FRANCES RECK.

MARCH 7, 1904.—Ordered to be printed.

Mr. PATTERSON, from the Committee on Pensions, submitted the following

REPORT.

[To accompany H. R. 5527.]

The Committee on Pensions, to whom was referred the bill (H. R. 5527) granting a pension to Frances Reck, have examined the same and report:

The report of the Committee on Invalid Pensions of the House of Representatives, hereto appended, is adopted and the passage of the bill is recommended.

The House report is as follows:

The husband of this beneficiary, Jacob Reck, served as a private in Company B, Second Missouri U. S. Reserve Corps Volunteers, from August 23, 1861, to March 1, 1862, when discharged under General Orders, No. 14.

He was pensioned under the act of June 27, 1890, for inability to earn a support by manual labor by reason of injury to right ankle and right index finger.

His claim under the general law, filed in 1889, and based upon an injury to right leg below the knee, alleged to have been received while at Cuba, Mo., while unloading rations and equipments from the railroad cars to a wagon, was rejected in November, 1895, upon the ground of insufficiency of proof.

Sergeant Widman, of soldier's company, who had charge of the detail of men at the time the claimant's husband was injured, testified positively to the receipt of the injury in 1890; but when the Pension Bureau in 1894, four years after he had testified, corresponded with him relative to the matter he could make no response, having died in November, 1893.

This same witness testified to the continuous suffering of the soldier from the injury to his leg ever since his discharge, and is corroborated by another witness, one G. Voelker.

This injury to the leg resulted eventually in necrosis, and a portion of the bone sloughed off and a varicose ulcer formed on the leg, which finally cause septicemia, of which the soldier died on May 29, 1898.

The beneficiary, now 47 years of age, who married the soldier in November, 1893, applied for pension under the general law. Her claim, however, was rejected in December, 1899, upon the ground that the evidence submitted was insufficient to connect soldier's death with his service.

Papers on file in the Pension Bureau show that the beneficiary is in dependent circumstances.

While the action of the Pension Bureau was undoubtedly proper in view of the insufficiency of the proof adduced, the proof filed, however, indicates that soldier's death was probably due to his army service.

In view of this the relief sought for in the bill should be granted.

The passage of the bill is therefore recommended.